

FILED
15 JUL 20 PM 2:41
UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA, ex) Case No.: 1:13CV436
rel. Patrice Sidler,)
) JUDGE WELLS
Plaintiff-Relator,)
)
v.) <u>THE GOVERNMENT'S NOTICE</u>
) <u>OF ELECTION TO</u>
DeVry, Inc., et al.,) <u>DECLINE INTERVENTION</u>
)
Defendants.)
) <u>FILED UNDER SEAL</u>

Pursuant to the False Claims Act, 31 U.S.C.
§ 3730(b)(4)(B), the United States notifies the Court of its
decision not to intervene in this action.

Although the United States declines to intervene, we
respectfully refer the Court to 31 U.S.C. § 3730(b)(1), which
allows the Relator to maintain the action in the name of the
United States; providing, however, that the "action may be
dismissed only if the court and the Attorney General give
written consent to the dismissal and their reasons for
consenting." Id. Therefore, the United States requests that,
should either the Relator or the Defendants propose that this
action be dismissed, settled, or otherwise discontinued, this

Court solicit the written consent of the United States before ruling or granting its approval.

Furthermore, pursuant to 31 U.S.C. § 3730(c)(3), the United States requests that all pleadings filed in this action be served upon the United States; the United States also requests that orders issued by the Court be sent to the Government's counsel. The United States reserves its right to order any deposition transcripts, to intervene in this action for good cause at a later date, and to seek the dismissal of the Relator's action or claim. The United States also requests that it be served with all notices of appeal.


Finally, the Government requests that the Relator's Complaint, this Notice, and the attached proposed Order be unsealed. The United States requests that all other papers on file in this action remain under seal because in discussing the content and extent of the United States' investigation, such papers are provided by law to the Court alone for the sole purpose of evaluating whether the seal and time for making an election to intervene should be extended.

A proposed order accompanies this notice.

Respectfully submitted,

STEVEN M. DETTELBACH
United States Attorney

By:


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ATTORNEYS FOR THE
UNITED STATES OF AMERICA

CERTIFICATE OF SERVICE

A copy of The Government's Notice of Election to Decline Intervention, along with Proposed Order, was sent by regular U.S. mail this 20th day of July, 2015, to:

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Attorney for Relator



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